

VZCZCXR07426
OO RUEHCHI RUEHCN RUEHDT RUEHHM
DE RUEHJA #0119/01 0220433

ZNY CCCCC ZZH
O 220433Z JAN 08
FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 7692
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHKO/AMEMBASSY TOKYO 1427
RUEHBY/AMEMBASSY CANBERRA 1893
RUEHBJ/AMEMBASSY BEIJING 4650
RUEHWL/AMEMBASSY WELLINGTON 2254
RUEHKA/AMEMBASSY DHAKA 0886
RUEHLM/AMEMBASSY COLOMBO 0951
RUEHBAD/AMCONSUL PERTH 0524
RUEHHK/AMCONSUL HONG KONG 2417
RUEAIIA/CIA WASHDC
RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000119

SIPDIS

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, G/TIP, EAP/RSP, DRL/PHD
NSC FOR EPHU

E.O. 12958: DECL: 01/22/2018

TAGS: [ELAB](#) [ID](#) [KWMN](#) [MY](#) [PGOV](#) [PREL](#)

SUBJECT: INDONESIA, MALAYSIA STEP UP COMMITMENT TO PROTECT
MIGRANTS, COMBAT TIP

REF: A. 07 JAKARTA 3408

[B.](#) 07 JAKARTA 2627

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 (b+d).

[¶](#)1. (U) This message was coordinated with Embassy Kuala Lumpur.

[¶](#)2. (C) SUMMARY: During President Yudhoyono's recent visit to Malaysia, the two governments stepped up their commitment to protect migrants and combat trafficking. Yudhoyono brought public attention to the plight of Indonesian migrant workers. The two governments agreed that police action must be more effective and set up a joint body to address protection issues. While some Indonesian activists are skeptical, others view this high level call for action as a catalyst that could lead to stronger migrant protection and TIP action. END SUMMARY.

SBY'S VISIT TO MALAYSIA

[¶](#)3. (C) President Yudhoyono visited Malaysia, January 10-12. During a January 11 meeting between Yudhoyono and Prime Minister Abdullah Badawi, the two leaders agreed to form an "Eminent Persons Group" to make recommendations for promoting closer Indonesia-Malaysia relations, according to the Joint Statement issued after the discussions. This group would address protection of migrant workers along with other issues, according to Shabda Thian, an official with the Indonesian Foreign Affairs Department's Directorate of Indonesian Overseas Citizens Protection. Malaysians demonstrated positive political will to improve migrant workers' protection during the bilateral discussions, Shabda added. (Note: An estimated 1.5 million Indonesians work in Malaysia.)

[¶](#)4. (U) The Joint Statement issued after the talks between Abdullah and Yudhoyono devoted two paragraphs to migrant worker protection and trafficking in persons. On migrant labor, "the two Leaders expressed their commitment for the better protection of these workers," citing related MOUs in 2004 and 2006. Yudhoyono "took note with appreciation the concrete steps by the Malaysian Government to better protect Indonesian migrant workers such as gradual issuance of smart

cards, hotline service and black-listing of employers who have reneged on the requirements on the recruitment of migrant workers." In addition, the leaders noted efforts to conclude a consular notification MOU.

URGING EFFECTIVE POLICE ACTION

¶15. (U) On TIP, the Joint Statement noted that the leaders considered trafficking to be "an atrocious crime against humanity" and both leaders "welcomed the progress of bilateral cooperation in combating TIP." The leaders "instructed the national police of both countries to further enhance their cooperation to combat TIP, especially at border areas." The statement also welcomed the May 2008 bilateral anti-trafficking workshop to be hosted by Indonesia.

¶16. (U) Upon his return to Jakarta, Yudhoyono turned his cannons on Indonesian officials, publicly calling on the national police chief and the Manpower Minister to pay attention to violations of migrant workers' rights. After speaking with an Indonesian official at the Indonesian embassy in Kuala Lumpur who briefed Yudhoyono about exploitation of migrant workers by manpower agencies in both Indonesia and Malaysia, thus putting them into a situation of debt bondage, Yudhoyono lambasted GOI agencies to do a better job. He also called for the creation of more jobs in Indonesia so that Indonesians would not be forced to seek their fortunes overseas.

SBY CALLS ATTENTION TO KEY ISSUES

¶17. (SBU) President Yudhoyono met on January 10 with Nirmala Bonat, an Indonesian maid brutally abused by her employer. For many human rights activists, her case, which has dragged

JAKARTA 00000119 002 OF 002

on since May 2004, has become a litmus test for protection of migrant workers. In early January, the judge presiding over the case ruled that the prosecution had a *prima facie* case against Nirmala's employer. Defense lawyers will present their arguments in the upcoming phase of the trial. An NGO source closely following the case told Embassy Kuala Lumpur poloff that she expected the trial to conclude within three months. Nirmala returned to Indonesia on January 17 but may be asked to return to Malaysia if the court requires her to testify further.

¶18. (U) After his meeting with Nirmala, Yudhoyono told the media he is pursuing a number of vigorous steps to protect Indonesian migrant workers rights. He said he would raise with PM Badawi the need for Indonesian workers to hold their passports, which under an existing Indonesia-Malaysia MOU, are held by the employer. (Note: Malaysia's 2007 anti-trafficking law, when fully enforced, would appear to nullify this requirement.) Shabda told Labatt that the issue of allowing Indonesians to keep their passports is a sticky one but that the two sides agreed to begin renegotiating this.

WILL IT ALL HELP?

¶19. (C) There was some skepticism about the results of the trip. Migrant Care's Anis Hidayah told Labatt that there already is a bilateral working group to address migrant protection issues and that additional special teams probably are not the answer. She speculated that Yudhoyono proposed another working group because he does not have faith with the mechanisms already in place.

¶10. (C) Other contacts were more upbeat. Shabda told Labatt that Yudhoyono's attention to these matters could spur the Manpower Ministry and the Agency for the Placement and Protection of Overseas Labor to take their duties more seriously. Elizabeth Dunlap, a program manager with the Jakarta office of the International Organization for Migration (IOM), said Yudhoyono's commitment would help

facilitate international efforts to coordinate efforts with GOI agencies.

¶11. (C) Over all, in our estimation, the recent bilateral discussions and public statements demonstrated ever increasing political will to deal with TIP and the protection of migrant workers. This climate has created a wider opening for Mission and NGO partners to press GOI agencies to take vigorous action while offering them training programs to do so.

HUME